

**IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
WEST VIRGINIA, AT MARTINSBURG**

**DALE BERNARD BEARD, JR.,**

**Plaintiff,**

v.

**CIVIL ACTION NO.: 3:23-CV-193  
HONORABLE GINA GROH**

**DANIEL E. SMITH, individually, and  
ADAM ALBAUGH, individually,**

**Defendants.**

**NOTICE OF SETTLEMENT**

COMES NOW the Defendants, Daniel E. Smith and Adam Albaugh, by counsel, Keith C. Gamble, and the law firm of Pullin, Fowler, Flanagan, Brown & Poe, PLLC, and Plaintiff, Dale Bernard Beard, Jr., by counsel John H. Byran and the Law Office of John H. Bryan and advises the Court that the parties have settled all matters in controversy in the above-captioned Civil Action.

**Defendants, Daniel E. Smith  
and Adam Albaugh,  
By counsel:**

*/s/ Keith C. Gamble*

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Keith C. Gamble, WV State Bar No. 7971  
Pullin, Fowler, Flanagan, Brown & Poe, PLLC  
2414 Cranberry Square  
Morgantown, WV 26508  
Telephone: (304) 225-2200

**Plaintiff, Dale Bernard Beard, Jr.,  
By counsel:**

*/s/ John H. Bryan (w/ permission)*

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John H. Bryan, WV State Bar No. 10259  
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ADAM ALBAUGH, individually,**

**Defendants.**

**CERTIFICATE OF SERVICE**

The undersigned, counsel of record for Defendants, does hereby certify on this 12<sup>th</sup> day of November, 2024, that a true copy of the foregoing "*Notice of Settlement*" was filed and served via the CM/ECF filing system, as follows:

John H. Bryan, Esquire  
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411 Main St.  
P.O. Box 366  
Union, WV 24983

*/s/ Keith C. Gamble*  
Keith C. Gamble, WV State Bar No. 7971

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